



1648

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
THOMAS BOCK  
HANS TILLMAN  
MICHAEL MANNS  
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STEPHEN ALISTER LOCARNINI  
JOSEPH TORRESI

Group Art Unit: 1648

Examiner: Bao Q. Li

Atty. Dkt. No.: 4421.000200  
(formerly 4420.000600)

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Serial No.: 09/877,340

Filed: June 8, 2000

For: VIRAL VARIANTS AND USES  
THEREFOR

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
December 26, 2002 Date	 Mark D. Moore

In response to the Notice to Comply dated December 3, 2002, there are enclosed herewith:

- (a) Sequence Listing (on paper and computer disk);
- (b) Statement as Required Under 37 C.R.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (c) Third Preliminary Amendment; and
- (d) A copy of the Notice to Comply.

It is believed that no fee is required in connection with this document. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4421.000200.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Date: December 26, 2002



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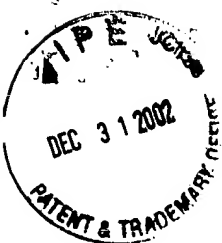
PATENT TRADEMARK OFFICE

A handwritten signature in dark ink, appearing to read "Mark D. Moore".

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AGENT FOR APPLICANTS



<b>Notice to Comply</b>	Application No. 09/877,340	Applicant(s)	
	Examiner Bao QUN LI	Art Unit 1148	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☒ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

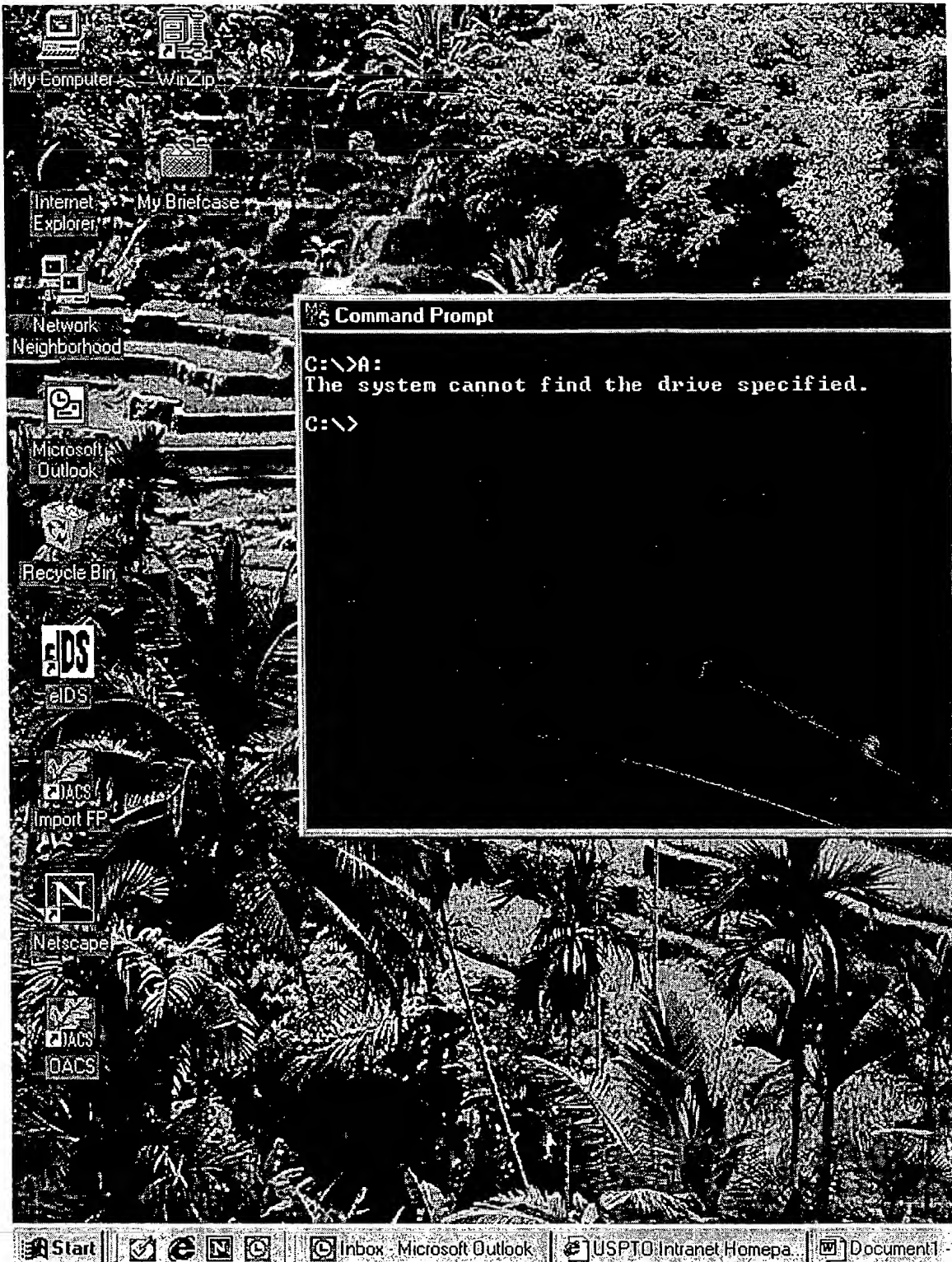
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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



09/877,340



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